

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2010-092268

05/07/2013

COMM. BERNARD C. OWENS

CLERK OF THE COURT
T. Haaser
Deputy

DAVID R HOWELLS, et al.

DAVID R HOWELLS
8996 E. SAGUARO BLOSSOM RD.
GOLD CANYON AZ 85118

v.

ROBERT PETRIE, et al.

ROBERT PETRIE
1069 W FOGAL WAY
TEMPE AZ 85282

MARICOPA COUNTY EDUCATION
SERVICE AGENCY DISTRICT # 41
4041 N CENTRAL AVE
STE 1200
PHOENIX AZ 85012
SHIRLEY A HOWELLS
8996 E. SAGUARO BLOSSOM RD.
GOLD CANYON AZ 85118
SUSAN PETRIE
1069 W FOGAL WAY
TEMPE AZ 85282
JAY DOUGLAS WILEY

MINUTE ENTRY

Courtroom 303 - SEA

10:29 a.m. This is the time set for Garnishment Objection Hearing. Plaintiff/Judgment Creditors David Howells and Shirley Howels are present on their own behalf. Defendant/Judgment Debtor Robert Petrie and Susan Petrie appears on their own behalf.

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A record of the proceedings is made by CD/videotape in lieu of a court reporter.

David Howells, Shirley Howells, Robert Petrie and Susan Petrie are sworn.

Robert Petrie testifies that the monies subject to garnishment are causing a hardship.

David Howells and Shirley Howells state their position.

Discussion is held regarding payments that have been made.

Judgment Creditor agree to reduce the garnishment from 25% to 15% of the Judgment Debtor's non-exempt earnings

Based on the testimony presented,

IT IS ORDERED that Defendant's shall provide Chase Bank statements to Plaintiff for the time period beginning October 2011 through June 2012.

THE COURT FINDS that there is a clear and convincing evidence of hardship and no objection was made by Plaintiffs of the hardship.

IT IS ORDERED that the non-exempt earnings of the Judgment Debtor Robert Petrie is withheld by the Garnishee Maricopa County Education Service Agency District #41 after Service of the Writ of Garnishment shall be transferred to the Judgment Creditor in an amount not to exceed 15% of the Judgment Debtor's disposable earnings.

IT IS FURTHER ORDERED that the Judgment Creditor shall submit a proposed form of Order for Continuing Lien for the Court's review and signature within ten days hereof.

10:54 a.m. Matter concludes.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter/index.asp>

PLEASE NOTE: This Court utilizes a digital audio recording system to preserve the official record of proceedings. All parties requesting to purchase a copy of a CD of a hearing in a

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courtroom are directed to call **602-506-7100 (leave details on voice mail)** or **email** your request to: ers@superiorcourt.maricopa.gov

ALERT: The Arizona Supreme Court Administrative Order 2011-140 directs the Clerk's Office not to accept paper filings from attorneys in civil cases. Civil cases must still be initiated on paper; however, subsequent documents must be eFiled through AZTurboCourt unless an exception defined in the Administrative Order applies.